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MULTILYTE LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AFFYMETRIX, INC., a Delaware corporation,

Plaintiff and Counterdefendant,

v.

MULTILYTE LTD., a British corporation,

Defendant and Counterclaimant.

Case No.: C-03-3779 WHA

**MULTILYTE LTD.'S
MISCELLANEOUS
ADMINISTRATIVE REQUEST TO
FILE DOCUMENTS UNDER SEAL**

Date: April 27, 2005

Time: 1:30 p.m.

Judge: Hon. William Alsup

Pursuant to Civil Local Rules 7-10(b) and 79-5(d) and paragraph 11 of the Stipulated Protective Order, approved by the Court's order in this action on February 9, 2004 (a copy of the Protective Order and of the Court's Order Approving the Protective Order are attached hereto as

1 Exhibits A and B), Defendant and Counterclaimant Multilyte Ltd. ("Multilyte") requests to be
2 allowed to file under seal the following documents:

- 3 • AMO_000122-151, which is a document entitled, "Technical Primer," prepared in
4 the litigation between Multilyte and Affymetrix in the United Kingdom regarding
5 the foreign counterpart patents to the patents-in-suit, and produced to Multilyte by
6 Affymetrix in this action.
- 7 • AVM_US0546296-323, which is a document entitled, "Statistical Algorithm
8 Description Document," and produced to Multilyte by Affymetrix in this action.

9 The Declaration of Michael K. Plimack in Support of Multilyte's Opposition Briefs
10 ("Declaration of Mr. Plimack") attaches as exhibits these two confidential documents, all of which
11 were designated by Affymetrix as Confidential and/or Confidential—Outside Counsel Only under
12 the Protective Order. The exhibits to the Declaration of Mr. Plimack have been divided into public
13 documents and documents that Affymetrix has designated Confidential and/or Confidential—
14 Outside Counsel Only under the Protective Order. Multilyte seeks to file under seal a confidential
15 version of Mr. Plimack's declaration containing the attached exhibits, including those two
16 documents that have been designated as Confidential and/or Confidential—Outside Counsel Only
17 under the Protective Order. By designating these documents as confidential under the protective
18 order, Affymetrix presumably considers the information so designated to include
19 valuable research, development, commercial, financial and/or technical proprietary data and other
20 information that is regarded as confidential.

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22 DATED: April 7, 2005

HELLER EHRMAN WHITE & MCAULIFFE LLP

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24 By 
25 MICHAEL K. PLIMACK

26 Attorneys for Defendant and Counterclaimant
27 MULTILYTE LTD.
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